

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOJO NICHOLS, SUSAN BREWSTER,
DUANE DEA, MARYANNE DERACLEO,
KAREN KELLY, REBECCA RICHARDS,
JENNIFER SELLERS, and STACY
SPENCER,

*Individually and on Behalf of All Others
Similarly Situated,*

Plaintiffs,

v.

NOOM, INC., ARTEM PETAKOV, and JOHN
DOES 1 TO 5,

Defendants.

No. 20 Civ. 3677 (KHP)

**NOTICE OF PLAINTIFFS'
UNOPPOSED MOTION FOR
FINAL APPROVAL OF THE
CLASS ACTION SETTLEMENT
AND RELATED RELIEF**

PLEASE TAKE NOTICE THAT upon the parties' Class Action Settlement Agreement (the "Settlement Agreement," ECF No. 496-1), the Declaration of Steven L. Wittels in Support of Plaintiffs' Unopposed Motion for Final Approval of the Class Action Settlement and Related Relief dated June 10, 2022; the accompanying Memorandum of Law dated June 10, 2022; and all other papers and proceedings herein, Plaintiffs Mojo Nichols, Susan Brewster, Duane Dea, Maryanne Deracleo, Karen Kelly, Rebecca Richards, Jennifer Sellers, and Stacy Spencer hereby move this Court under Federal Rule of Civil Procedure 23 and Rule 7.1 of the Local Civil Rules for the United States District Courts for the Southern and Eastern Districts of New York for an Order:

- (1) granting final certification to the Class under Federal Rule of Civil Procedure 23, for settlement purposes;
- (2) granting final approval of all terms applicable to the Class set forth in the Settlement Agreement;

- (3) finding that the court-authorized notice was the best notice practicable under the circumstances;
- (4) approving the service award to the Class Representatives;
- (5) awarding Class Counsel reimbursement of litigation expenses and attorneys' fees;
- (6) approving the parties' proposed final settlement procedure;
- (7) incorporating all terms of the Settlement Agreement, including the release; and
- (8) dismissing this action with prejudice and entering final judgment.

In support of their Motion, Plaintiffs rely on the accompanying Memorandum of Law and declarations of counsel, and all exhibits annexed thereto.

Dated: June 10, 2022
Armonk, New York

Respectfully submitted,

WITTELS MCINTURFF PALIKOVIC

By: /s/ Steven L. Wittels
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